

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

ILYA LIVIZ )  
Plaintiff, )  
v. )  
SUPREME JUDICIAL COURT )  
OF MASSACHUSETTS, )  
in their official capacity. )  
Defendant/s. )  
\_\_\_\_\_ )

U.S. DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

2022 MAR -9 AM 11:33

FILED  
IN CLERKS OFFICE

**COMPLAINT FOR FIFTH AMENDMENT RIGHT TO A HEARING  
DECLARATORY RELIEF**

Plaintiff Ilya Liviz, for his Complaint for Fifth Amendment Right to a Hearing Declaratory Relief against Defendant/s Supreme Judicial Court in its/their official capacity as the state's highest court, alleges as follows:

**JURISDICTION AND VENUE**

1. This action arises under the United States Constitution Amendments Five.
2. This Court has subject matter jurisdiction of this action under 28 U.S.C. § 1331 and may enter declaratory and other relief under 28 U.S.C. § 2201(a).
3. Substantial part of the events or omissions giving rise to this complaint occurred within the district.

**PARTIES**

4. Ilya Liviz ("Liviz"), an adult citizen of New Hampshire, and a former practicing attorney within the Commonwealth of Massachusetts.
5. Defendant/s ("SJC") collectively are justices of the Supreme Judicial Court for the Commonwealth of Massachusetts, with their primary place of business in Boston, MA.

**FACTS**

6. On February 20, 2019, the Assistant Bar Counsel (“ABC”) of the Board of Bar of Overseers contacted Liviz demanding extensive production of privileged information.
7. There was no complaint filed by any client or private citizen; this was an inter-government launched investigation.
8. Liviz determined that the ABC’s entire requests are completely devoid of any allegation of attorney misconduct, request for production of discovery was erroneous and unlawful, warranting Liviz to challenge the requests directly with the SJC.
9. Liviz, preparing for this challenge, made sure that he stopped practicing law in advance.
10. On April 1, 2019, both ABC and Liviz concurrently pleaded with the SJC who pursuant to SJC Rule 4:01(1) has “... exclusive disciplinary jurisdiction...”.
11. On April 1, 2019, ABC moved to administratively suspend Liviz from practice of law for failing to respond to their requests.
12. On April 1, 2019, Liviz moved SJC to determine no response was necessary, strike ABC’s requests, dismiss the petition for administrative suspension and award Liviz fees.
13. On April 2, 2019, SJC issued an Order of Administrative Suspension without a hearing.
14. Liviz was denied a hearing to review his challenge to ABC’s requests.
15. The only hearing that was held was a hearing for contempt of administrative suspension.
16. During the contempt hearing Liviz again attempted to challenge the four-corners of the ABC’s original requests but was ignored because the subject of the hearing was for contempt of administrative suspension.

17. During the contempt hearing Liviz stressed to the SJC that he was denied right of a hearing to challenge ABC's request but was again ignored because the subject of the hearing was for contempt.
18. The SJC full court affirmed the administrative indefinite suspension.
19. ABC's requests were never reviewed, nor considered when the SJC determined length of suspension.
20. Alleged contempt of administrative suspension is procedural and in violation of Fifth Amendment Due Process right to a hearing.
21. If Liviz was granted a hearing to challenge ABC's requests, and ordered to comply with ABC's requests after hearing, he would have done so.
22. Liviz was deprived of his Fifth Amendment right to a hearing to challenge ABC's original requests.

Right to amend the complaint to include other claims of relief under civil rights, tort, and taking of property, with right to a jury trial is reserved.

**PRAYER FOR RELIEF**

Wherefore, the Plaintiff request that this Court enter judgment in his favor and grant the following relief:

- a) Declare Plaintiff has a Fifth Amendment right to a hearing to challenge ABC's requests.
- b) Award Plaintiff such other relief as this Court deems just and proper.

Date: 03/06/2022

Respectfully submitted, Pro se  
Ilya Liviz D.L.D., J.D., M.Ed., B.S.

  
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